

REMARKS

Claims 1, 3-13 and 15-16 are all the claims pending in the application. Claims 2 and 14 have been cancelled without prejudice or disclaimer.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 8-11 contain allowable subject matter, and would be allowable if rewritten in the independent form. However, since the rejection of the corresponding base claims are believed to be overcome, Applicants have not placed these claims in independent form at this time.

Drawing Objections

The Examiner objects to Figs. 11-15, stating that they should include a “prior art” label. The Examiner asserts that the replacement drawings included with the Amendment filed June 15, 2005, were not received. Accordingly, Applicants are submitting herewith new replacement drawings. The objection is therefore believed to be overcome.

Claim Rejections - 35 U.S.C. § 102

Claims 1-4, 6-7 and 12-15 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by newly cited Kato et al. (U.S. Patent No. 6,004,170). Applicants respectfully traverse this rejection.

Claim 1 sets forth that the first locking portion is formed along the first water cutoff portion so as to extend substantially orthogonal to a mating surface of the first member. For example, the non-limiting embodiment of Fig. 1 shows a projected portion 25 extending along a first water cutoff portion. As taught by the specification, when the cutoff structure is configured

as claimed, a direction in which a welded substance of the covering material flows can be blocked (*see* page 5, lines 4-17). In contrast, the alleged locking portions of Kato, projections 87 and grooves 91, do not extend along a water cutoff portion. Instead, as seen in Figs. 8 and 9 in Kato, these projections and holes are only at the very ends of the alleged water cutoff portions 86. Because they do not extend along any direction, and particularly not as claimed, the alleged Kato locking portions do not provide the blocking of the claimed device. Accordingly, claim 1 is allowable over Kato. Claim 3 depends from claim 1 and is therefore allowable at least because of its dependency. Also, claim 12 is allowable at least for reasons similar to those given with respect to claim 1 and claim 13 is allowable at least because of its dependency from claim 12.

Kato also fails to teach or suggest each and every feature of claim 4. Claim 4 sets forth that opposite sides of the first and second locking projections have positioning projecting portions and positioning receiving portions. For example, the non-limiting embodiment shown in Fig. 5 includes first locking portion 25 provided with a positioning receiving portion 34 at one side and a positioning projection portion 33 at the opposite side. The specification teaches that when these positioning portions are provided at either side of the locking portion, the water cutoff structure is prevented from shifting and ultrasonic energy can be more efficiently transmitted to the welded portion (*see* page 6, line 23 to page 7, line 2).

Kato lacks positioning projection portions and positioning receiving portions on opposite sides of a locking portion. The Examiner asserts that Kato resin member 80 is a locking portion and that positioning projection 87 and positioning hole 91 are positioning projections and receiving portions, respectively. However, resin member 80 is just the resin housing generally,

and the Examiner identifies the resin housing 80 as the first member with respect to claim 1.

There is no indication that it the resin housing can serve as the claimed locking portion and even the Examiner realizes this in his identification of parts with respect to claim 1. Specifically, the Examiner previously identified positioning projection 87 and positioning hole 91 as the locking portions. Accordingly, Kato fails to fixing projections with a positioning projected portion and a positioning receiving portion on opposite sides thereof. Accordingly, claim 4 is allowable over Kato. Claim 15 is also allowable over Kato at least for reasons similar to those given with respect to claim 4.

Finally, Kato fails to anticipate claim 6. Claim 6 sets forth a covered wire constituted by surrounding a plurality of core lines covered by a resin cover. Claim 6 also sets forth that the lateral width of the first and second members is greater than the width of the core lines when they are laterally arrayed.

The Examiner asserts that Figs. 8 and 9 of Kato teach each and every feature of claim 6. Particularly, the Examiner asserts that covered wires 84a-84e constitute a plurality of core lines. However, these cannot be considered a plurality of core lines as claimed. Claim 6 sets forth a wire which constitutes a plurality of core lines. The covered wires 84a-84e identified by the Examiner are a number of separate wires. They are not core lines which make up a wire. Accordingly, claim 6 is also allowable over Kato. Claim 7 depends from claim 6, and is therefore allowable at least because of its dependency.

Claim Rejections - 35 U.S.C. § 103

Claim 5 and 16 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kato in view of Ide et al. (U.S. Patent No. 5,922,993). Applicants respectfully traverse this rejection at least because one of ordinary skill in the art would not have been motivated to modify Kato with Ide as suggested by the Examiner.

Claims 5 and 16 set forth a groove portion formed at a bottom portion of a recessed portion, the groove portion being narrower than an upper portion of the recessed portion. The Examiner asserts that positioning hole 91 constitutes a recessed portion. The Examiner acknowledges that the Kato positioning hole 91 does not disclose the claimed groove portion, but attempts to correct this deficiency of Kato with Ide. Particularly, with reference to Ide Fig. 5, the Examiner asserts that Ide teaches a recessed portion 43 with a groove portion at the bottom which has a narrower width than the upper portion of the recess 43. However, one of ordinary skill in the art would not have been motivated to modify Kato with Ide as suggested by the Examiner.

The positioning hole 91 of Kato is substantially different than the recess 43 of Ide. Particularly, the Kato positioning hole 91 is located apart from the wires 43a-43e. In contrast, the Ide recess is designed to overlap the wires W1 W2 (*see* Figs. 5 and 7). There is no indication that the Ide recess 43 would be desirable to replace the Kato positioning hole 91 which does not overlap the wires. Additionally, the motivation identified by the Examiner is insufficient. The Examiner asserts that Ide teaches a configuration provides an excellent melting operation efficiency (*see* column 2, lines 43-46). However, the section of Ide identified by the Examiner

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refers to the Ide invention generally. There is no indication that the Ide recess 43 alone is particularly desirable or would be desirable in a configuration such as Kato. Accordingly, one of ordinary skill in the art would not have been motivated to modify Kato with Ide as suggested by the Examiner and claims 5 and 16 are allowable over the combined teachings and suggestions of Kato and Ide.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS

Please replace the sheets including Figs. 11-15 (sheets 11/13, 12/13 and 13/13) with the attached replacement sheets including amended Figs. 11-15.

Attachment: Three (3) Replacement Sheets